

THE HON. MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TRAVIS MICKELSON, et. ux.

Plaintiffs,

vs.

CHASE HOME FINANCE LLC, et. al.

Defendants.

NO. 2:11-cv-01445

DECLARATION OF CHESSA
TACHIKI IN RESPONSE TO
DEFENDANTS' NOTICE OF
INTENT TO FILE SURREPLY

My name is Chessa Tachiki. I am a paralegal for Stafne Law Firm, attorneys for Plaintiffs the above captioned action. I make this declaration on the basis of personal knowledge as appears fully herein.

On May 3, 2012, I was directed by Mr. Stafne to file an "Objection to Consideration of New Evidence in Response to Motion for Reconsideration for Motion to Dismiss as Opposed to Summary Judgment" with regards to the Response (Dkt. #61) filed by defendants to Plaintiffs' Motion for Reconsideration (Dkt. #59).

Upon logging into the CM/ECF system to file said document, I was unclear as to what category it should be filed under, as there was not a specific category that seemed to suit the document to be filed. In order to be sure I was filing the document properly, I called the phone number for Judge Pechman's docket clerk and spoke with the case administrator - a woman named Mary. Mary informed me that I was to file the document under "Reply" under

DECLARATION OF CHESSA TACHIKI IN RESPONSE TO
DEFENDANT'S NOTICE OF INTENT TO FILE SURREPLY - 1

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1 the main category titled "Responses, Replies and Supporting Documents." I specifically
2 asked her if she was sure I was not supposed to file it under the category "Objections to
3 Report and Recommendation" (the only category that mentions "objection") and she said
4 "no."

5 After my conversation with Mary, I informed Mr. Stafne that Mary had instructed me to
6 file the document as a reply and he said to file it as the clerk had instructed, and that is what I
7 did. It is to my belief and knowledge that the objection which was filed was not intended to
8 be a "reply," it was simply filed under that category because that is what I was instructed to
9 do by the clerk.

10 I declare under the penalty of perjury that the foregoing is true to the best of my
11 information and belief.

12 DATED this 4th day of May, 2012 at Arlington, WA.

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14 Respectfully Submitted,

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17 Chessa Tachiki, Paralegal
18 Stafne Law Firm
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CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that on May 4, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Fred B. Burnside: fredburnside@dwt.com

Rebecca J. Francis: RebeccaFrancis@dwt.com

Heidi E. Buck: hbuck@rcolegal.com

Andrew Gordon Yates: yatesa@lanepowell.com

John S. Devlin, III: devlinj@lanepowell.com

Erin McDougal Stines: erin.stines@fnf.com

DATED this 4th day of May, 2012 at Arlington, WA.

/s/ Chessa R. Tachiki
Chessa Tachiki, Paralegal
Stafne Law Firm